



FAA

Office of the Chief Counsel

2015 Summer Law Honors Program

ANTICIPATED INTERN ASSIGNMENTS

OFFICE OF DISPUTE RESOLUTION FOR ACQUISITION (AGC-70)

The Office of Dispute Resolution for Acquisition (ODRA) was formed in 1996 as an independent office within the FAA's Office of the Chief Counsel. Under a series of [delegations from the FAA Administrator](#) and the ODRA's [Procedural Regulations](#), the ODRA is charged with responsibility for resolving all protests and contract disputes arising out of procurements and contracts entered into under the FAA's [Acquisition Management System \(AMS\)](#). The ODRA process utilizes consensual alternative dispute resolution (ADR) to the maximum extent practicable to resolve the vast majority of acquisition related disputes and protests. Those disputes that cannot be resolved through ADR are decided through the ODRA's administrative adjudication process.

The intern will work closely with the ODRA Director and Dispute Resolution Officers on a variety of procurement and ADR issues. The intern will perform legal research, prepare memoranda, participate in mediation and other ADR-related activities, and actively participate in all aspects of the ODRA's work. Technical experience preferred: some familiarity with Microsoft Office software. More information about the ODRA can be found on its website at: www.faa.gov/go/odra.

EMPLOYMENT AND LABOR LAW DIVISION (AGC-100)

The attorneys of this division serve as employment and labor law advisors to various management officials and on various special projects. The attorneys research and answer questions about the legality of personnel actions proposed or taken by management, such as disciplinary actions involving reprimand, suspensions, demotions, and discharge. In addition, the attorneys conduct hearings in personnel cases before the Merit Systems Protection Board (MSPB) and the Equal Employment Opportunity Commission (EEOC) as well as manage and coordinate case litigation with the Department of Justice by writing litigation reports, motions, briefs, conducting discovery, interviewing and preparing witnesses, and serving as co-counsel at trials. The office's labor attorneys

review union negotiation proposals and agreements and provide advice to management on a variety of union issues.

The interns will assist the attorneys with discovery, witness interviews, hearings before the EEOC, MSPB, and various Federal courts. The legal intern will also conduct research, prepare memoranda, draft and respond to discovery, and accompany attorneys to meetings. Technical experience required: none.

INTERNATIONAL LAW, LEGISLATION, AND REGULATIONS DIVISION (AGC-200)

This division is responsible for broad legal support across the agency's programs and is roughly divided into three staff specialties with considerable overlap: Regulations staff, International Law staff, and Legislative staff.

The Regulations staff is responsible for developing, reviewing, and interpreting aviation regulations. The subjects include: airworthiness, operations, airspace, air traffic, aircraft and airman certification, aviation safety, aviation medicine, commercial space launch licensing, and industry drug and alcohol testing.

The International Law staff develops the agency's position on international aviation law issues; serves as liaison for FAA on international aviation legal matters with international organizations, foreign countries, other Government agencies and industry; advises the aviation war risk insurance program; and provides legal support for FAA emergency operations and warnings to the aviation community respecting foreign airspace.

The Legislative staff represents the agency regarding all legislative policy matters (such as bills, resolutions and legislative proposals); develops, drafts, and coordinates testimony, reports, and proposed legislation; keeps the Administrator informed on the status of legislative bill matters; and provides legal counsel to FAA witnesses before Congressional hearings.

The legal intern will assist in some of the following assignments: develop and review regulatory documents; write regulatory interpretations; perform legal research related to public rulemaking; perform legal research on international law matters; assist in research and drafting of legislative proposals, technical assistance on pending legislation, and hearing testimony. At least one intern assigned to this division works predominately on commercial space transportation issues. Technical experience required: none.

ENFORCEMENT DIVISION (AGC-300)

This division handles enforcement actions from case initiation through the administrative hearing and appellate phases and, when necessary, handles the

appeal to the U.S. courts of appeals under delegation from the Department of Justice. The enforcement division also develops legal enforcement policy.

The intern assigned to this division will have responsibility for cases involving enforcement of various aviation regulations, which could include cases concerning airman medical certification, hazardous materials, drug and alcohol testing, and flight rules. The intern's duties will include: reviewing case files for sufficiency of the evidence, drafting enforcement actions, conducting legal research, and drafting correspondence. The intern's duties may also include the following matters: writing legal memoranda and motions, assisting in the preparation of congressional correspondence concerning enforcement cases, assisting in the preparation of responses to Freedom of Information Act requests regarding enforcement cases, and miscellaneous research assignments. Technical experience required: none.

LITIGATION AND GENERAL LAW DIVISION (AGC-400)

This division is responsible for litigation relating to airplane crashes, car accidents, and other tort claims. Our legal interns assist the attorneys by conducting legal and factual research, writing motions and memoranda of law, preparing litigation reports, conducting claims analysis, drafting discovery documents, and compiling discovery responses. Legal subject matters often include complex questions about choice-of-law, comparative fault, joint and several liability, contribution, indemnity, damages, and jurisdiction. Factual investigation relates to piloting and air traffic control and is accomplished through research and witness interviews. Interns may be assigned their own claims to handle. Interns with exceptional writing and analytical skills, curiosity, and attention to detail are most desired.

ACQUISITION AND FISCAL LAW DIVISION (AGC-500)

This division is responsible for providing legal support in all areas of acquisition. Contract values often exceed \$100 million. The legal intern assigned to this division can expect to work on a variety of legal issues related to contract formation and post-award performance, which may include document review, research, and meetings. Interns may also be called upon to provide input into issues regarding data rights, fiscal law, real estate, and environmental law. The intern may also assist in the litigation of contract claims and protests before courts and the FAA's Office of Dispute Resolution for Acquisition. Technical experience required: none.

AIRPORTS AND ENVIRONMENTAL LAW DIVISION (AGC-600)

The interns assigned to this division will work in either the Environmental Law Branch or the Airports Law Branch.

The legal intern's work in the Environmental Law Branch may include: assisting attorneys in advising clients and reviewing environmental assessments and environmental impact statements for proposed airport development, air traffic matters, and commercial space launch facility launch licenses, for legal sufficiency under the National Environmental Policy Act and other environmental laws (e.g., Historic Properties, Endangered Species, Clean Water, Clean Air, etc.); assisting in defense of environmental litigation; advice and counsel concerning proposed environmental policies and procedures; interpretation and enforcement of requirements applicable to airport noise and access restrictions under the Airport Noise and Capacity Act; and providing advice concerning agency compliance with hazardous waste laws (e.g., Comprehensive Environmental Response, Compensation, and Liability Act).

The legal intern's work in the Airports Law Branch may include: legal advice and counsel concerning policies and procedures for airport planning and programs, such as the Airport Improvement Program, Passenger Facility Charge Program, the Airport Compliance Program, the Airport Privatization Pilot Program, the Disadvantaged Business Enterprise Program, and defense of court litigation. Other assignments may include assisting in the promulgation of rulemaking in airport law matters and in FAA administrative proceedings to enforce airport grant assurance obligations.

Technical experience preferred but not required: environmental law, administrative law, engineering, biology, or environmental sciences.